

DISCUSSION NOTES

EGPR / Implementing AB 857 Regional Dialogue – Bay Area
with the Governor's Office of Planning & Research
Sponsored by Bay Area Alliance and
the California Policy Reform Network
May 1, 2003

Presentation by Tal Finney, Interim Director of the Governor's
Office of Planning and Research (OPR)

Key Points

- OPR is engaged in the most comprehensive revisiting of state planning practices in the past 25 years.
- Following the passage of AB 857 last year, OPR began developing a new Environmental Goals and Policy Report (EGPR) that is consistent with the three AB 857 planning priorities. All state departments and agencies must comply with the goals and policies of the EGPR and plan in a manner consistent with the three new planning priorities laid out in AB 857.
- In addition to the EGPR, OPR is working on:
 - a. The latest iteration of General Plan Guidelines, due July 1.
 - b. Two sets of LAFCO guidelines, the first ever developed by the state. This is running behind by a year, but should be issued in the fall.
 - c. Amendments to the CEQA guidelines, in conjunction with the Resources Agency.
 - d. Providing input on the 5-year state water plan, the first-ever state energy plan, and the state transportation plan.
 - e. Participating in the development of CalEPA's new environmental justice strategy.
- The coincidence that all of these documents are being developed at the same time is very lucky, because it gives OPR and the Administration the opportunity to reshape state planning practices.
- OPR is working to weave sustainability and environmental justice principles throughout all of the documents.
- The Dept. of Finance, which will have a role in enforcing agency compliance with the three planning priorities through review of infrastructure funding

requests, has been very cooperative in working with OPR.

- The EGPR needs to have series of checklists to implement the “three Es,” but in a way that requires state agencies to take into account the three overarching planning priorities from AB 857.
- The EGPR will be a “living document” – by statute it must be revised every four years. Mr. Finney wants to incorporate as much detail as he can in the current version of the EGPR.
- Those who are doing planning and approving development projects should take civil rights laws into account in their documents. This is already the law, but Mr. Finney will be working to make sure that these considerations are highlighted.
- The EGPR will ensure that state agencies speak with one voice and are operating under consistent goals and policies. This will be a tremendous resource for local governments and will assist them to plan and act in a manner that is consistent with state goals and policies.

Q&A - Responses from Mr. Finney

- *Should the EGPR be crafted so that a regional approach is promoted?* This document will definitely reflect regionalism. It has become a reality as a way of doing business, although in California it manifests not as much through government and laws, but through non-governmental collaborations like the Bay Area Alliance.
⇒ NOTE: There is an example of state inter-agency collaboration in the Tri-Agency Partnership Agreement between CalEPA; the Resources Agency; and the Business, Transportation, and Housing Agency. You can find a description of this agreement on pages 36-38 of the report “Second Nature: Improving Transportation Without Putting Nature Second,” published by the Surface Transportation Policy Project. Find this report on the STPP website: http://www.transact.org/library/reports_pdfs/Biodiversity/second_nature.pdf (Adobe Acrobat format).
- *Will the new LAFCO guidelines bring the work of LAFCOs into greater public view? Right now they operate almost as “hidden regional governments.”* There hasn’t been a culture of openness and cooperation at LAFCOs in the past, but that is steadily changing. We are working on the first of two sets of real guidelines that the state has prepared: one for incorporations and service reviews. These new guidelines will help further the new spirit of openness at LAFCOs and will make clear the important role LAFCOs have in ensuring good regional planning.
- In another field, the EGPR will be an example of how GIS (Geographic Information Systems) can work at the state level. GIS has advanced to a point where the technology works and is helpful. The EGPR process will be data-driven; we want to use GIS as a tool to improve the planning process.

- *Present tax policy does not support local government. What can be done?* California is in desperate need of major tax reform, and there are some proposals on the table now. Something has to be done about the state's revenue streams. Right now, we depend almost entirely on capital gains, and when they plunge like last year, we have huge problems. We'd like to hear from the Alliance with relation to revenue streams.
- *Do you find that we have fallen behind Europe in some areas?* First of all, in Norway they already have hydrogen combustion-engine cars. Also, Scandinavian countries (which were based on socialist models) went through major tax reforms in the last decade - because they saw the Silicon Valley concept working spectacularly. However, they haven't lost a sense of community with business owners taking responsibility for their communities.
- *CEQA guidelines presently tend to advantage greenfield over infill development. Could they take into account the fact that high-density development and affordable housing have fewer negative impacts regionally than greenfield development (e.g., they reduce regional commuting) and can have a net benefit to regional air quality?* This is an issue that we really have to wrestle with now because of AB 857. I would like to hear from you on it.
- *We are still debating what the Bay Area Regional Livability Footprint means for actual projects. What would be very empowering to regional planning and government is if the state encouraged consensus within the region on what the most desirable land-use patterns would be, and there was then a presumption, under CEQA, that something consistent with that plan was preferred. It would be a powerful catalyst if the state rewarded comprehensive planning.* Weaving these principles into CEQA is more difficult than other plans because there are so many concerns. For example, we are negotiating with Indian tribes about a dramatic new sacred sites law for the entire state. We are working to find a balance; timber interests and PG&E are at the table in this sacred sites discussion. I am having to look at CEQA reforms from the broadest sense possible. I hope that empowerment of the regions will mean that they have a better sense of all the concerns than the state.
- I would like this audience to send me specific proposals on the EGPR and other plans for my staff to review.